THE HON'BLE SRI JUSTICE S.ANANDA REDDY

Writ Petition No.7267 of 2002

02.08.2007

Between

M.S.Krishna Prasad

…Petitioner

And

The Government of Andhra Pradesh, Revenue (Excise) Department, Secretariat Building, Hyderabad rep.by its Principal Secretary and others.

…Respondents

THE HON'BLE SRI JUSTICE S.ANANDA REDDY

Writ Petition No.7267 of 2002

ORDER:

This writ petition is filed questioning the demand of the respondents for payment of a sum of Rs.8.25 lakh towards licence fee in respect of IL-24 licence with reference to Rayadurg town, Anantapur District for the excise year 2002-03 based on the provisional population figures pertaining to 2001 census and seeking a direction to renew the licence of the petitioner by collecting licence fee of Rs.4.50 lakh.

At the time of hearing, however, the learned Government Pleader placed a copy of the judgment of a learned single Judge of this Court in Writ Petition No.7516 of 2004 and batch, dated 29.11.2004, wherein the learned single Judge dismissed the batch of writ petitions, where

identical issues were raised, following the judgment of a Division Bench of this Court in Writ Appeal No.1610 of 2002, dated 31.03.2003, wherein it was held that official publiation of provisional population census list can also be taken by the authority for determining the licence fee.

In that view of the matter, this writ petition is liable to be dismissed. Accordingly, the writ petition is dismissed and the petitioner is directed to pay the balance licence fee within a period of six weeks. No costs.

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02.08.2007

VGB